

Official Minutes for Webb County
Commissioners Court Meeting

Monday, November 13, 2006 at 1:00 PM
and continuing Tuesday, November 14, 2006 at 1:00 PM
(Approved November 27, 2006)
(CORRECTION APPROVED JANUARY 22, 2007)

Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 9th of November, 2006. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

Item No. 3 Pledge of Allegiance – Led by All

Judge Bruni asked Mr. Steve Landin, Deputy Fire Chief, to step up to the podium. He stated the he would ask the Court and the members in the chambers to go see the two brand new brush trucks which show unity between the County of Webb and the City of Laredo.

Mr. Steve Landin stated that he wanted to show the two brush trucks which was agreed to be purchased in the last interlocal agreement. He mentioned that this was a fine example of the City and County working together. He thanked the Court on behalf of the City Council and the Fire Department. Mr. Landin mentioned that the cost for both trucks was \$450,000 and they carry 1000 gallons of water and have plenty of compartments for rescue equipment needed.

Cmr. Garza asked if an item needed to be brought up. Judge Bruni stated that there was no item since it was just under communications.

Cmr. Gutierrez motioned to recess meeting. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 4 Approval of minutes for September 11, 2006 and September 25, 2006

Judge Bruni asked if there were any questions on the minutes.

Cmr. Sciaraffa had no questions.

Cmr. Gutierrez had no questions.

Cmr. Garza had no questions.

Cmr. Brunner had no questions.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent

Item No. 5 Approval of bills, payroll and monthly reports

Mr. Rafael Perez, Chief Deputy Auditor, stated that there was good news in reference to the general fund balance. He stated the beginning fund balance was a \$11,224,847.00 which is 16.8%; however, he stated that there might be a slight change since the amount is an unaudited number but it will still be in 11 million. He stated that the Auditor's Office had submitted a item for the agenda; however, it did not make it but they will submit it again next time. This was in reference to the Webb County utility fund where they want to remove the deficit which is at \$86,414.00 just the same as it was done for the employee health. He stated that the three funds from the Texas Department of Criminal Justice came with a deficit; however, they are grants for two years and they are expected to be with a positive balance at the end of this fiscal year.

Cmr. Gutierrez asked if it was for this year or next. Mr. Perez explained that this was the beginning of the first year and they have till next year.

Mr. Perez mentioned that included in the monthly reports the internal audits for 26 departments. Mr. Perez mentioned that they were notified that Webb County has gotten the award for Certificate of Achievement for Excellence in Financial Reporting. He stated that this certificate is the highest form of recognition in government accounting and financial reporting.

Cmr. Gutierrez congratulated the Auditor's Office on getting this recognition for a couple of years now. She stated that the County has managed for the past few

years managed to maintain a 15% fund balance. She stated if the county continues to maintain this 15% then the Court would continue to enjoy the excellent bond rating.

Judge Bruni motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni thanked former Cmr. David Cortez and Cmr. Brunner on an outstanding job with the Fred M & Anita Bruni Community Center. He stated that this center was very high-tech. He mentioned that it has 15 computers and a great staff.

Cmr. Brunner stated that there were some people that couldn't attend the grand opening of the center; however, she wanted to thank Mr. Juan Vargas, Mr. Eloy Ramirez, and Mr. Carlos Villarreal for all their hard work and dedication.

Cmr. Sciaraffa congratulated Cmr. Brunner on the grand opening of the Community Center. He mentioned that the project was so wonderful that he would want to copy the idea for Las Presas Community Center.

Cmr. Gutierrez congratulated Cmr. Brunner on the Community Center. She mentioned that the ground breaking for the Colonia Park on Hwy 359 was held. Cmr. Gutierrez stated that this was a \$1 Million project which would be done in three phases. She thanked the Court for helping approve the funds which came out of Bond Series 2003 and Bond Series 2006. She stated that there was a tremendous growth increase in this area. She stated that Habitat for Humanity was constructing several homes in this area as well. She mentioned that two new libraries and the Health and Nutrition Center will be coming in the near future. She stated that this week on Thursday at 10:00 a.m., was going to be the ground breaking for the Sta. Teresita Project which is being done with the help of the Diocese of Laredo.

Cmr. Garza thanked all the different organizations who prepared different functions for the Veterans. Cmr. Garza stated that on this particular agenda the approval of the E-Payment process was going finally going for approval. He mentioned that this has taken very long; however, it was finally going to be implemented on November 21, 2006 at Judge Martinez's office. He stated that if everything went well, it would get implemented throughout other Courts. Cmr.

Garza congratulated Cmr. Brunner on her grand opening. He stated that it was good that every precinct had a community center to service the community.

Cmr. Brunner had no communications.

Mr. Carlos Villarreal, Executive Administrator, stated that he had two announcements. He stated that the first was that the Border County Coalition will be meeting on the 17th and 18th of November at La Posada. Mr. Villarreal mentioned that the 2nd announcement was that the 4th Court of Appeals will be here on the 9th of December to hear appeal cases. He stated that the two panels of three would be female justices. He mentioned that the reception will be on the 7th of December.

Judge Bruni stated that he failed to mention that during his remarks at the Community Center he talked a little bit on a seamless transition between him and the new administration. He mentioned that he has been having several meeting with Judge Elect Danny Valdez and his staff. He stated that Judge Valdez's staff has been going to his office everyday for the past week. He mentioned that the Higher Being has another agenda for him.

Item No. 7. Public Comment-This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

No Public Comments.

Item No. 8. Presentation by Chairman of "Feast of Sharing".

Ms. Bertha Mena, Chairman, and Mr. Arnold Davis, Co-Chair, introduced themselves to the Court.

Ms. Mena invited the Judge and Commissioners to the 18th Annual Feast of Sharing which will be held on Sunday, November 19th from 11:00 a.m. – 3:00 p.m. at the Laredo Civic Center.

Mr. Arnold Davis mentioned that this year they are planning on serving over 12,000 meals and 2500 in additional homebound meals. He stated that they have over 300 volunteers.

Cmr. Gutierrez thanked HEB for serving the community for 18 years and she also thanked the community.

Item No. 9. Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to advertise for bids for a 500 gallon per minute pump, motor, column pipe, foundation and ancillary equipment for the water well in the County School Lands on Hwy 44. This project is part of Webb County's Secondary Water Source program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10. Discussion and possible action to allocate funds from the Judge's Discretionary Funds, Bond Series 2006, as follows:

Casa Ortiz (Villa Antigua; fund 725) \$100,000.00;
Fred M. and Anita Bruni community center (Fund 723, Pct 4)
(construction of playground) \$30,000.00;
International Rail District (fund 714) \$200,000.00;
Fifth International Bridge (fund 715) \$200,000.00;
Secondary Water Source (fund 718) \$200,000.00;
Const. Pct.1 (Dep't. 2500) \$70,000.00.

Judge Bruni stated that instead of the allocating \$200,000 to the Fifth International Bridge, he wanted to allocate this additional \$200,000 to a park being done in Los Obispos.

Cmr. Gutierrez motioned to approve item. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11. Discussion and possible action to instruct Administrative Services through the Human Resources Department to adopt as county policy procedures to require all vacant positions to be posted for a minimum time frame, and to require minimum qualifications be established for consideration of employment. To be effective 90 days.

Cmr. Garza stated that he had placed this item on the agenda sometime back; however, he stated that he would like to place it back on this agenda for approval. He stated that every time that he was going to place an item on the agenda he asks himself who was the item going to affect. Cmr. Garza stated that the posting requirement would give the community an opportunity to apply for the posted

positions. He stated that different Government entities have already adopted the requirement of meeting the minimum qualifications; however, he mentioned that he would leave it up to the Court for approval.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with discussion. Cmr. Gutierrez stated that it was not that Webb County had never had minimum qualifications; however, in the change of administrations these requirements faded. Cmr. Gutierrez stated that it was hard to get all other elected officials to adopt these requirements and/or policy.

Cmr. Garza stated that Cmr. Gutierrez was absolutely correct. He stated that he hopes once this idea is established and everyone sees that it is something good for all the community then hopefully all Elected Officials would go with the idea.

Cmr. Brunner stated that she was also in agreement with this idea; however, she stated that she would like to begin looking at the idea for Civil Service for Webb County.

Cmr. Garza stated that the Legislative Issue that has always been brought up when it comes to Civil Service is if we meet the population. He stated that at the very minimum we do owe the employees some type of due process.

Cmr. Gutierrez mentioned that Cmr. Garza and Cmr. Brunner are correct. She stated that she believed that through the Legislature something could be done. She stated that the Legislature was going to be in session in January, therefore, it was a good idea to start planning to introduce the Legislation.

Motion carried 5-0 by unanimous consent.

Item No.12. Discussion and possible action to re-evaluate the possibility of Webb County adopting an employee classification system for employees, and to establish a committee to report to the County Commissioners with a plan for said implementation. A time frame of 60 days is requested.

Cmr. Garza stated that he had numerous discussions on this issue with Cmr. Gutierrez. He stated that he wanted equality for all employees. He mentioned that the problem was that when people leave their position after serving 20 years, all their longevity pay goes to the person on day one. He mentioned that the current employees would not get affected; however, any new employees coming in would know that their position would get awarded a grade and a step. He mentioned they would reward people who had adequate experience with different positions. He mentioned that by doing this Webb County can have structure and that way when people are looking at Human Resource policies they can in turn look at Webb County. He mentioned that he isn't looking for an establishment

right now; however, he would like a committee to be established to make recommendations and bring it back to the Court.

Cmr. Garza motioned to approve item. Cmr. Gutierrez seconded the motion with discussion. Cmr. Gutierrez mentioned that the County has a very good template that can be used so they don't start at zero. She stated that this template included administrative, secretary, etc. She mentioned that a committee should be established and they can make the recommendation and have them look at the study which cost around \$90,000.

Motion carried 5-0 by unanimous consent.

Item No. 13. Status report on 311 Non-Emergency Information System for Webb County.

Cmr. Garza stated that he was a firm believer in technology. He asked Mr. Eddie Flores to step up and provide the Court with a status report on the 311 Non-Emergency information systems.

Mr. Eddie Flores, MIS Interim Director, mentioned that they applied for the 311 permit, they required a phone provider which most likely would be SBC. However, they would need to go out for RFPs. He stated that in several conversations with Mr. Homero Ramirez, County Attorney, he asked how much this was going to cost Webb County. He stated that once all information is put together they would get together with Mr. Ramirez to go out for RFPs. Cmr. Garza asked if there was an estimated time of when all this would get done or if any authorization from the Court was needed. He mentioned that they have prior information from SBC which now is AT & T; however, he stated that the recurring charges were around \$6000. He stated that it may go over or less that amount.

Cmr. Garza stated that the 311 number had been approved by the Court sometime back for non emergency numbers. He stated that this would be to provide any information regarding to Governmental services or questions.

Cmr. Gutierrez asked if there was going to be somebody answering the phone on the other side on a 24 hour basis.

Cmr. Garza stated that they would have 8 hour shifts and as the project progresses the hours would be extended.

Cmr. Gutierrez asked if this 311 program was being seen to evolve into a department or if it was going to be under MIS?

Cmr. Garza stated that in some discussions it was said that this could go as part of the Public Information Office or be absorbed by another department.

Cmr. Gutierrez stated that it was important for the general public to know that the 311 was for general information and instead of calling the operator which now you get charged a fee you could call this number.

Mr. Eddie Flores mentioned that there were other items to consider before implementing and among them was if the program was going to be bilingual.

Item No. 14. Discussion and possible action to approve the property lease agreement with the Girl Scouts Paisano Council, Inc. for the purpose of constructing a public youth educational and recreational facility; allocation of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) from proceeds of the Webb County Certificates of Obligation, Series 2006 for the construction of the facility pending receipt of additional funding from local benefactors; finding that the County's participation in the project is in the best interest of the public and serves a public purpose; authorizing the solicitation of design-build proposals for the construction of the facility; and any other matters related thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15. Discussion and possible action to approve a lease agreement with the Girl Scouts Paisano Council, Inc. for the operation and maintenance of the public educational and recreational facility for the benefit of the County residents and any other matters related thereto.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16. Discussion and possible action to increase Webb County's employee matching rate in the Texas County & District Retirement System for the 2007 plan year from 225% to 250% both retroactively and prospectively as the matching rate under Section 843.403 of the plan.

Cmr. Gutierrez motioned to approve item as submitted with discussion. Cmr. Sciaraffa seconded the motion. Cmr. Gutierrez stated that she wanted to make

clear where the amount of money that is going to take to go from the 225% to 250% was coming from.

Mr. Carlos Villarreal stated that the Auditor's Office told him that the money was included in the FY 06-07 budget. He stated that this was brought up during the budget process; however, they were checking with the State if certain things could be done especially going retroactive back to October 1, 2006.

Cmr. Gutierrez asked Mr. Rafael Perez if this money that had been left in the Retirement System. She stated that it was important to know that these monies are already included in the budget since there is a policy that the budget does not get amended after it has been adopted until 6 months.

Mr. Carlos Villarreal stated that it has already been incorporated in the budget.

Cmr. Gutierrez mentioned that this was very important because this would benefit all the employees of Webb County and she thought it was better than a raise.

Item No. 17. Discussion and possible action to appoint a Director for the Management information systems department from among applicants, set salary therefore, and any other matters incident thereto.

Cmr. Sciaraffa motioned to defer item till the end of the meeting. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18. Discussion and possible action to accept a grant award from Office of the Governor Criminal Justice Division for a DJ-Edward Byrne Memorial Justice Assistance Grant (JAG) for the surveillance equipment in the amount of \$40,259 and authorizing the Webb County Judge to act as the authorized official in all matters pertaining to the county's participation in the grant program. This grant has no cash match; and, thus, is at no cost to the county.

Item No. 19. Discussion and possible action to accept a grant award from the U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance Bulletproof Vest Partnership for the purchase of bulletproof vests in the amount of \$9,312 with fifty (50%) percent cash match in the amount of \$9,312. This cash match has already been allocated in FY 2006-2007 Webb County Budget as required and approved by the Webb County Commissioners' Court through the regular budget process.

Judge Bruni motioned to approve item no. 18 and 19 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20. Discussion and possible action to enter into a three (3) year "Credit Card Processing Agreement" with Being Secure Government Payment Solutions, Inc. ("SGPS") for the processing of credit card payment by individuals paying their traffic citations on-line via e-payment services for the Webb County Justices of the Peace with a monthly Gateway fee of \$15.00 as well as a \$10.00 statement fee from merchant bank processing payments, and authorizing the Webb County Judge to execute all relevant documents. [Requested by MIS Department, Account No. 001-0500-6411 (Repairs & Maintenance Software)]
- Item No. 21. Discussion and possible action to enter into a one (1) year "Merchant Bankcard Application and Agreement" with Humboldt Merchant Services for bank processing of credit card payments made by individuals paying their traffic citations on-line via e-payment services for the Webb County Justices of the Peace with applicable fees as set out in agreement, and authorizing the Webb County Judge to execute all relevant documents. [Requested by MIS Department, Account No. 001-05006411 (Repairs & Maintenance Software)]
- Item No. 22. Discussion and possible action to renew software licenses and maintenance for one (1) year (October 1, 2006 to September 30, 2007) by Environmental Systems Research Institute (ESRI) for the Planning Department to model terrain and flooding in the colonias and throughout the County to protect public safety and the watershed and to regulate development around the flood plain according to State and Federal mandates. Annual cost is SEVEN THOUSAND EIGHT HUNDRED SEVENTY-SIX DOLLARS AND FORTY-FOUR CENTS (\$7,876.44). [Requested by Planning Department Acct. No. 010-0102-6222 (GIS mapping) \$6,714.00 Acct. No. 010-0102-6402 (Equipment Maintenance and Repair) \$1,162.44]
- Item No. 23. Discussion and possible action to enter into a one (1) year (October 23, 2006 through October 22, 2007) maintenance agreement with Dahill Industries for two (2) K250 Copiers for the Sheriff's Office at a monthly cost of FORTY-EIGHT DOLLARS AND NO CENTS for a total of FIVE HUNDRED SEVENTY-SIX DOLLARS AND NO CENTS (\$576.00) over the term of the agreement, and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Sheriff, Account No. 001-2060-6014 (Equipment Rental)].

- Item No. 24. Discussion and possible action to enter into a one (1) year (October 29, 2006 through October 28, 2007) equipment maintenance agreement with Eastman Kodak Company to provide maintenance support for a "Kodak Digital Science Scanner 1500 D" utilized by the Planning Department at a cost of NINE HUNDRED NINETY-SEVEN DOLLARS (\$997.00), and authorizing the County Judge to execute all relevant documents. [Account No. 010-102-6402, Requested by Planning Department].
- Item No. 25. Discussion and possible action to enter into a one (1) year (November 1, 2006 to October 31, 2007) software maintenance agreement with Environmental Systems Research Institute ("ESRI") for the Planning Department to model terrain and flooding in the colonias and throughout the County at an annual cost of SEVEN THOUSAND EIGHT HUNDRED SEVENTY-SIX DOLLARS AND FORTY-FOUR CENTS (\$7,876.44) [Requested by Planning Department; Acct. No. 010-1026222 (GIS mapping) \$6,714.00; Acct. No. 010-0102-6402 (equipment maintenance and repair) \$1,162.44]
- Item No. 26. Discussion and possible action to enter into a three (3) year non-financial cooperative agreement with the Laredo Community College ("LCC") for the Webb County Head Start Program wherein LCC will provide child development education majors who would volunteer at Head Start and authorizing the County Judge to sign all relevant documents. [Requested by Head Start; (non-financial agreement)]
- Item No. 27. Discussion and possible action to enter into a contract amendment for twenty six (26) months (November 1, 2006 to December 31, 2008) with Pitney Bowes, Inc. for a replacement Postage Meter B900 located at the Sheriff's Office at a cost of seventy-four dollars (\$74.00) per month for a total cost of ONE THOUSAND NINE HUNDRED AND TWENTY FOUR DOLLARS (\$1924.00) over the rental term. [Requested by Webb County Sheriff; Account No. 001-2060-6014 (Equipment Rental)]
- Item No. 28. Discussion and possible action to enter into a one (1) year (November 1, 2006 through October 31, 2007) Service Agreement with Tracpoint Systems, LP for ten (10) GPS units for El Aguila Rural Transportation at a monthly rate of THIRTYFOUR DOLLARS AND NINETY-NINE (\$34.99) for a TOTAL COST OF FOUR THOUSAND ONE HUNDRED NINETY-EIGHT DOLLARS AND EIGHTY CENTS (\$4198.80) over the term and authorizing the County Judge to sign all relevant documents. [Requested by CAA Account No. 980-4205-6014 (equipment rental)].

- Item No. 29. Discussion and possible action to enter into a one (1) year (November 1, 2006 through October 31, 2007) equipment maintenance agreement with Xerox, Copy Connection, Inc. for a Xerox M15i Machine located at the Administrative Services Department at a monthly cost (\$15.00) for a total cost of ONE HUNDRED EIGHTY DOLLARS (\$180.00) over the term of the agreement, and authorizing the County Judge to sign all relevant documents. [Requested by Administrative Services, Account No. 0101-0114-6402 (Equipment Maintenance)]
- Item No. 30. Discussion and possible action to ratify a two (2) year (September 1, 2006-August 31, 2008) Cooperative Agreement with the State of Texas, Office of the Attorney General, for the provision of Court Order Registry information pursuant to the Texas Family Code wherein information provided by Webb County District Clerk will be used in the State and Federal Case Registries. [Requested by Hon. Manuel Gutierrez, District Clerk]
- Item No. 31. Discussion and possible action regarding appointment of Rita Moreno Garner to the Webb County Child Welfare Board to fill vacancy in accordance with her nomination by the Board at its meeting of October 17, 2006.
- Item No. 32. Discussion and possible action to enter into an Interlocal Agreement with Laredo Community College "LCC" for FY 2006-2007 (October 1, 2006-September 30, 2007), where in LCC will provide students with an opportunity to work at various county offices and departments as part of the Federal-Work Program at a cost to the county not to exceed TEN THOUSAND DOLLARS (\$10,000.00) over the term of the agreement, and to authorize the County Judge to execute all relevant documents. [Requested by Administrative Services, Acct. No. 001-0109-7459]
- Item No. 33. Discussion and possible action to accept a grant from the State of Texas, Office of the Governor Criminal Justice Division in the amount of FORTY THOUSAND DOLLARS AND NO CENTS (\$40,000.00) with no County match required. Grant monies will fund a part-time Licensed Professional Counselor to work in conjunction with the Webb County Juvenile Drug Court to provide services for youths who are diagnosed with co-occurring mental health and addiction conditions. The grant will be administered by the County Attorney's Office.

Judge Bruni motioned to approve item no 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent

Mr. Nathan Bratton, County Attorney's office, stated that item no 25 needed no action.

Mr. Carlos Villarreal stated that in talking with the County Clerk there was a questions if everyone voted after the discussion on item no. 16.

Judge Bruni motioned to go back to item 16. Cmr. Gutierrez seconded the motion.

Item No. 16. Discussion and possible action to increase Webb County's employee matching rate in the Texas County & District Retirement System for the 2007 plan year from 225% to 250% both retroactively and prospectively as the matching rate under Section 843.403 of the plan.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to by Order appoint representatives the South Texas Development Council Board of Directors.

Mr. Nathan Bratton, County Attorney's Office, stated that action was needed to appoint two representatives to the STDC Board of Directors. He stated that currently Cmr. Sciaraffa and Cmr. Brunner were serving on the Board.

Cmr. Gutierrez motioned to reappoint Cmr. Sciaraffa and appoint Cmr. Garza to the Board. Cmr. Brunner seconded the motion

Motion carried 5-0 by unanimous consent.

Item No. 35. Discussion and possible action to accept TWELVE THOUSAND ONE HUNDRED TWENTY FIVE (\$12,125.00) from the City of Laredo third party funding for the Meals On Wheels Program.

Item No. 36. Discussion and possible action to accept TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) from the City of Laredo third party funding for the Elderly Nutrition Program.

Judge Bruni motioned to approve item no 35 and 36 as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37. Discussion and possible action to authorize the Economic Development Department to submit an application to the Texas Community Development Block Grant Program/Office of Rural Community Affairs for a Colonia Construction Fund grant in the amount of \$500,000.00 and authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Community Development Block Grant program. If the application is funded, monies will be used to provide Colonia La Presa with a water dispenser and associated infrastructure.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and Possible Action Authorizing to the Utilities Department to fill Slot # 1305, Plant Operator I, at a salary of \$10.58 per hour.

Item No. 39. Discussion and Possible Action Authorizing Change Order No. 6 to Ramos Industries, Inc. in the amount of \$35,148.03 increasing the Contract price of \$4,614,284.63 to \$4,649,432.66 for the TWDB-EDAP 1.5 million gallon per day Regional Waste Water Treatment Plant project.

Item No. 40. Discussion and Possible Action Authorizing Change Order No. 1 to CG Construction in the amount of \$17,572.66 increasing the Contract price of \$961,054.00 to \$978,626.66 for the Self Help Center Park Phase I, II and .

Item No. 41. Discussion and Possible Action Amending the County's Emergency Management Plan to include a "Donations Coordinator" and assigning the Purchasing Agent to perform the duties of said position.

Item No. 42. Discussion and Possible Action Authorizing the Utilities Department to purchase three computers, two laser printers, one high impact printer for billing, upgrade of water utilities software and training in the amount not to exceed \$20,000.00. Funding will be derived from the Bond Series 2006 Capital Outlay.

Item No. 43. Discussion and Possible Action Authorizing Final Payment and Retainage on Bid Item No. 3 in the amount of \$31,674.42 to J & S Water Wells for the drilling of the water well in the County School Lands on Hwy 44. This project is part of Webb County's Secondary Water Source program.

- Item No. 44. Discussion and Possible Action Authorizing Deduct Change Order No. 6 in the amount of \$15,013.88 to Satterfield & Pontikes Construction, Inc., decreasing the construction contract from \$11,015,109.86 to \$11,000,095.98 for the 2.4 million gallon per day Water Treatment Plant. This is subject to the approval of the Texas Water Development Board.
- Item No. 45. Discussion and Possible Action Authorizing the County Attorney and the County Engineer to negotiate a Water Supply and Controlled Development Service Contract with GEO Inc. to provide water and sewer service to a 1,500 Bed Detention Center to be located on the northwest corner of the San Rafael Ranch.
- Item No. 46. Discussion and Possible Action Authorizing the County Judge to execute an "Affidavit" and a "Project Information Sheet" prepared by the County Engineer to the Texas Department of Transportation for the construction of an "Off State System Bridge on Mines Road (FM 1472) over Espada Creek, Webb County Project CSJ: 0922-33-013.

Judge Bruni motioned to approve item # 38, 39, 40, 41, 42, 43, 44, 45, and 46 as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47. Discussion and possible action to fill custodian slot 027 and slot 030 at \$8.25 per hour and charge this expenditure to payroll account # 001-0106-5001

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48. Discussion and possible action to authorize the Purchasing Agent to Request for Proposals for Engineering services for the Youth Village Project. ACCT:684-13066022.
- Item No. 49. Discussion and possible action to lease purchase one (1) digital copier from Office Communications Systems in the amount of \$140.58 monthly for 36 months for Constable Pct. 2, Ruben Reyes; ACCT. 001-2503-6402; BAL: \$1,500.00
- Item No. 50. Discussion and possible action to purchase one (1) 2007 F-150 pickup truck for the Webb County Indigent Health Services Department from the Certificate of Obligations Series 2006.

Item No. 51. Discussion and possible action for the Commissioners Court to award the following bids:

Bid 2006-28 Surfacing Tiles for Head Start
Bid 2007-59 One Brush Truck

Item No. 52. Discussion and possible action for the Commissioners Court to award the following proposals:

Proposal No. 2007-02 Cuatro Vientos Road Project 19 Parcels
Proposal No. 2007-03 Hydrologic & Hydraulic Analysis

Item No. 53. Discussion and possible action for the Commissioners Court to award Proposal No. 2007-01 Self Help Center Program Service Provider to the Community Action Agency.

Item No. 54. Discussion and possible action to lease purchase one (1) digital copier from Office Communications Systems in the amount of \$359.46 monthly for 36 months for County Clerk's Office , Margie Ibarra; ACCT. 001-1120-6402;BAL: \$12,000.00

Item No. 55. Discussion and possible action to rescind the approval on October 23, 2006 for purchase of the following equipment and to authorize the purchasing agent to purchase the equipment as specify for the Road and Bridge Department through the Houston Galveston Area Council and Buy Board; ACCT: 727-8108-8801 Bond Series 2006.

Houston Galveston Area Council HT11-05		
1 Grapple Truck	Rush Truck Center	\$99,445.00
1 16 yd automated side loader (Garbage Truck)	RC08-04 Heil of Texas	\$84,245.75
Buy Board	#208-04	
1 Chassis 52000LB GVWR (Garbage Truck)	Master International Trucks dba Southwest Inter. Trucks	\$79,590.00

Judge Bruni motioned to approve item #48, 49, 50, 51, 52, 53, 54, and 55 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 56. Discussion and possible action authorizing Dept. 0108, Road & Bridge/Motor Pool to fill the following slot: Slot 1370 Tire Repairman \$10.78/hr.

Cmr. Sciaraffa motioned to approve items as submitted. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 57. Discussion and possible action to authorize and direct Webb County Treasurer's Office to pay employees and elected officials on December 22, 2006, instead of December 29, 2006 in view of Webb County's holiday schedule.

Judge Bruni motioned to approve items as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 58. Action to officially record in the minutes of this Commissioners Court meeting Orders from the Auditor's Board of District Judges appointing Leo Flores as Webb County Auditor for a term of two years beginning November 23, 2006 through November 22, 2008.

Judge Bruni motioned to approve items as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to enter into Executive Session at 2:48 p.m. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 59. Discussion and possible action regarding Texas Commission on Environmental Quality Proposed Order in Enforcement Action in Docket No. 2003-0051-MWD-E; Enforcement Case No. 2627 and in Docket No. 2005-0629-PWS-E, Enforcement Case No. 25110 and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Judge Bruni stated that no action was taken in Executive Session.

Mr. Nathan Bratton asked the Court for authority to settle matter.

Comr. Gutierrez motioned to grant authority to settle matter. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60. Discussion and possible action to finalize amount of compensation due to delinquent tax attorney collection firm, Tijerina, Cavazos, Morales and Montemayor and authorize final payment [Executive Session is requested pursuant to Texas Government Code, Title 5, subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Carlos Villarreal asked the Court for approval for settling payment with the firm. He stated that there will be an agreement meeting with the County Attorney's Office, County Auditor's Office and the firm.

Comr. Sciaraffa motioned to approve settling payment. Comr. Gutierrez seconded the motion with discussion.

Comr. Gutierrez asked if the Court was approving the amount also or giving authority to pay a certain amount.

Mr. Carlos Villarreal stated that he was asking the Court for the authority to settle and make payment.

Judge Bruni asked how money would it be.

Mr. Carlos Villarreal stated that around \$30,000. He stated that if there was a substantial change, then they would pay \$30,000 and bring back the other amount to the Court for approval.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to bring back item no. 12. Comr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No.12. Discussion and possible action to re-evaluate the possibility of Webb County adopting an employee classification system for employees, and to establish a committee to report to the County Commissioners with a plan for said implementation. A time frame of 60 days is requested.

Cmr. Garza stated that Cmr. Brunner noted that a committee had not been established. He stated that if it was all right with the Court he motioned to appoint Mr. Carlos Villarreal, Mrs. Cynthia Mares, Mr. Tijerina (from HR), a representative from the County Auditor's office, Mr. Homero Ramirez, County Attorney, and a member from the Commissioner's Court. He stated that if the Court wishes, he could serve on the committee. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17. Discussion and possible action to appoint a Director for the Management information systems department from among applicants, set salary therefore, and any other matters incident thereto.

Cmr. Gutierrez stated that in the past a set of questions have always been available to do interviews. She asked if the applicants were going to get interviewed.

Judge Bruni stated that yes they were going to get interviewed. He mentioned that if the Court had any questions they could ask each applicant. Judge Bruni asked if all the four applicants were there. Cmr. Gutierrez asked if Jose F. Zapata was there. Judge Bruni stated that if he was not there, he would get strike.

Mr. Eloy Ramirez, Purchasing Agent, conveyed to the Court the four applicants that were received were: Jaime Alvarado, Jose F. Zapata, Ricardo Alonso Salinas, and Eddie Flores.

Judge Bruni asked the three applicants to come up to the podium and give the Court a one or two minute speech on why they think that they should be the Director. He asked Mr. Flores and Mr. Salinas to step out.

Judge Bruni asked Mr. Alvarado why he thinks that he is the most capable to manage the mis-managed office being that presently none of the employees like the gentleman that is there right now.

Mr. Jaime Alvarado stated that a combination of his education and experience positions him as the ideal candidate for this position. He stated that after receiving his bachelor's degree in Computer Information Systems back in 2001, he was employed as a Programmer Analyst by Mr. Manuel Gutierrez, Webb County District Clerk. He stated that as a Programmer Analyst, he has taken on so many roles serving as a system administrator, technology trainer, and has been determining specifications for any hardware or software that is needed for the office. He stated that he also contacts vendors to make sure that the right

products are being purchased and at the right price and in turn giving information to Mr. Gutierrez. He mentioned that during this time, he has continued furthering his studies and going back to college. He stated that this past May, he earned his Masters degree in Science in Information Systems with hopes that this would give him all the necessary tools to be able to come into a job such as this. He stated to the Court that it was his sincere hope that the Court would take into consideration his dedication to the field on information technology, his two degrees, and his dedication to Webb County which he is going on five years.

Cmr. Sciaraffa asked Mr. Alvarado what education he had. Mr. Alvarado stated that he had a Bachelor's degree in Information Systems and a Master of Science degree in Information Systems.

Cmr. Gutierrez asked in areas of software modules, how would he implement improvements? Mr. Alvarado stated that one of the main issues in information technology across not only in governmental entity but any entity is to have information flow seamlessly across the organization. He mentioned that being an employee of this County, he sees there are a lot of manual processes still in place here in the County and also a lot of departments are not sharing information. He stated that one of his main goals is to be able to implement improvement in the manual process and see what the feasibility of implementing a new process is. He stated that he would work with what is available right now and make the best decisions accordingly. Cmr. Gutierrez asked what type of managerial skills he had. Mr. Alvarado stated that although he was not a supervisor by title, the position that he has does ask for a lot of supervisory duties. He mentioned that he has been the administrator for anything relating to technology he is responsible. He stated that the "Document Imaging" project initiated by him at the District Clerk's Office did require a lot of time and dedication. He also mentioned that he helped to oversee the employees working in this project.

Cmr. Garza asked how he plans to implement the software that would entail another source of revenue for the County. Mr. Alvarado stated that the first thing needed was cooperation from all departments. He stated that if the departments understood the values of having a properly designed and fully functional website then everyone would cooperate. He mentioned that his goal would be to approach any department needing to be involved in this project and let them know the importance and from then on he could explore the many possibilities that there are to move on. Cmr. Garza asked Mr. Alvarado how he sees his relationship between MIS and Commissioner's Court since one of the main responsibilities is to keep the Court informed on anything being done. Mr. Alvarado stated that it would be his responsibility to inform the Court on any matters relating to technology. He stated that it would be his job to be fully informed on anything that would have to come through the Court so that he could be able to provide the Court with the necessary tools to make a decision. Cmr.

Garza asked Mr. Alvarado that if he was to step in as Director, how would his approach be towards the employees? Mr. Alvarado stated that one of his duties with working with the District Clerk's office has been to serve as a liaison with the MIS Department; therefore, he has worked with each employee there. He stated that his approach would be to assess the office policies and check how everything was. He stated that he would assess everyone's strengths and weaknesses.

Cmr. Brunner asked Mr. Alvarado how he would begin to organize the current office. She asked what kind of changes he would implement. Mr. Alvarado stated that as previously mentioned, he would assess the situation, see and engage where everybody is, and have a meeting with each one and find out where they want to be. Cmr. Brunner asked if he had a specific goal that he wanted to accomplish. He stated that his main goal would be to clearly define everyone's role in the department and then go on from there.

Judge Bruni asked that Mr. Eduardo Flores come up to the podium. Judge Bruni told Mr. Flores that he would give him one to two minutes to tell the Court why he is the most competent to be the MIS Director.

Mr. Eddie Flores stated that he had thirty three years of experience in the Technology Field and out of those twenty five has been with Webb County. He mentioned that just as his experience has grown so has the MIS Department. He stated that the department now hosts the Mitel phone system, the audio video, website, the network for the whole county, and record management. He stated it was not only data processing but a variety of different applications. He mentioned that if selected his learning would be very minimal or none at all. He stated that his experience has let him see the management and operations of the MIS Department.

Judge Bruni asked if Mr. Flores got along with his employees. Mr. Flores said yes. Judge Bruni asked if the employees got along with him. Mr. Flores said that he thought so. Judge Bruni asked Mr. Flores to tell the Court about AS400. Mr. Flores stated that AS 400 was the primary server for Webb County which holds all the major applications, interactive applications including the public safety, finance, and the courts system. He stated that it was used by all Webb County employees. Judge Bruni asked if there was a way to go into the AS400 to delete or add what was in there. He stated that they have different dial links which they can dial in. He stated that the attorneys leave out of town and they want to check their email; therefore, the MIS Department sets their laptops so they can do this. Judge Bruni stated that was not answering his question and why were there some privileged people who had the access to delete and add information, where he has been in the county for four years and was not aware of this. Mr. Flores stated that when the request is requested, the MIS Department asks the user or

department head to bring in their laptop for the user to be created. Judge Bruni stated that he did not think it was right for this type of access to be granted. Judge Bruni stated that what he understood was that if you have access then you can go in and add or delete information. Mr. Flores stated that it was only if the authority was granted. He mentioned that the department heads and/or elected officials tell MIS Department what type of security is granted to the user. Judge Bruni mentioned that by granting this authority anyone could get into his budget and he did not think that was right.

Cmr. Sciaraffa asked who grants the authority. Mr. Flores stated that it all depended on what type of authority was being granted. Mr. Flores stated that if the authority was regarding to the Courts, Mr. Manuel Gutierrez, District Clerk, would grant the authority or his Chief Deputies. Cmr. Sciaraffa asked if they could go into the different departments. Mr. Flores stated that it would be only for their departments unless the request to grant them authority is done to go into other departments. Judge Bruni asked if anyone in the Court could explain AS400. Mr. Flores stated that this program has been in existence since 1994.

Cmr. Gutierrez stated that it was important that everyone know that if someone wanted authority to go into someone else's department, who was responsible to grant that authority. Mr. Flores stated that only if granted authority by the department head or elected official. Judge Bruni stated that Mr. Flores was contradicting himself. Cmr. Gutierrez mentioned that she has tried to access other department's budgets and has had no success. She mentioned that the process to grant authority to be done, it would have to go through the Auditor's office. Mr. Flores mentioned that most of the time when the access is granted to go into other departments it is on a view only access. Mr. Flores also stated that most of the time the MIS Department does not know what accounts each department should have access; therefore, they check with the Auditor's office before granting authority. Cmr. Gutierrez stated that the honor system would be that if the department head or elected official asks for authority for their own department, then MIS Department would honor their request.

Cmr. Brunner asked that if everyone has ever been charged with tampering with these records. Mr. Flores stated that a couple of years ago, someone from the County Clerks office was dismissed because of that. Judge Bruni asked if during their administration this happened. Mr. Flores mentioned that it was either at the beginning or towards the end of the prior administration. Cmr. Brunner asked how long the employee was employed in the department. Mr. Flores stated that the employee had been employed for about eight years.

Cmr. Garza stated that since Mr. Flores has been working at the MIS Department already, there were more questions for him. He stated that the AS400 is a program that is used all across the county. He mentioned that the city and LCC

has AS400. He stated that there is a footprint that can be followed when it comes to who is able to alter any particular information; therefore, there is a mechanism in being able to track every single move that is made by user name. Cmr. Garza mentioned that he has been almost in every department's account; however, on a read only access. Mr. Flores mentioned that the program validates every record that has been altered with time, date, and user id. Cmr. Garza mentioned that some of his concerns were in regards to program and project implementation. He said that he spoke from experience with the e-payment project which has taken long to implement and also 311 project. He asked Mr. Flores that if selected as Director, what would he do different to be able to implement these projects much quicker. Mr. Flores mentioned that they have been short staffed and he has not been able to hire an assistant. Mr. Flores stated that on the e-payments, they were set to start in June; however, it was decided to go out on RFQs which delayed it. Cmr. Garza asked Mr. Flores if everything was okay at the MIS Department. Mr. Flores mentioned that apart from being under staffed, yes. Cmr. Garza asked if appointed, what were some of the changes that he planned to do. Mr. Flores stated that he would like to get everyone cross trained. Cmr. Garza asked Mr. Flores what his education was. Mr. Flores stated that he had two years in LCC (Associates Degree) and several diplomas from technical schools.

Cmr. Sciaraffa asked why employees haven't been cross trained. Mr. Flores stated that they are cross trained; however, since they have six or seven management information systems they only have certain people to go around.

Judge Bruni mentioned to Mr. Ricardo Salinas that he was to be given the same amount of time as the other applicants to tell the Court why he was the ideal candidate for the position.

Mr. Ricardo Salinas explained that he graduated from St. Mary's University and has been exposed to the networking when he worked with IBC. He stated that he took some classes towards his Master's Degree but was unable to finish since he was moved to Houston. He stated that he has been working with a forwarding agency called Importex where he established the network along with SBC and Bravo net. He stated that he is familiar with designing web sites and different networks. He mentioned that he has worked with the city and did the information technology and implemented the new website. He also mentioned that he has been exposed with financial situations when he worked with IBC. He said that he believes on an open door policy for the department's employees to give them an opportunity to give the department any new ideas. He stated that he is familiar with the AS 400. He mentioned that if chosen as director, he strongly believes that everyone should be updated on technology changes. He stated that every manager should pass the work ethics required to each of its employees to make the department efficient.

Cmr. Sciaraffa asked what was his plan approach or goals if appointed. Mr. Salinas stated that it was getting through to the department. He stated that he would like to establish goals with its employees and see if things can get better. He also mentioned that he would like to fulfill all service calls at 100% and cross train all employees. He stated that he would like to see the weaknesses of the department to try to fix what has been going wrong in the past.

Cmr. Gutierrez asked what type of managerial skills he would bring to this office. She stated that people skills are just as important as the education that one has. Mr. Salinas said that he was a manager for Importex. He stated that you would have to put yourself in every employee's shoes. He mentioned that being a manager entails being able to back up your employees, if there is little moral being able to have a good personality, and have a neutral ground. He stated that an open door policy is the best approach.

Cmr. Garza stated that Mr. Salinas has a lot of experience; however, he has a limited background in governmental setting. Cmr. Garza asked Mr. Salinas saw himself as the MIS Director or in the governmental system. Mr. Salinas stated that with the City of Laredo you need to follow what you call a Protocol or what the Charter says. He stated that he was aware that the County also follows the same system which would entail approval for purchasing of any equipment needed. Cmr. Garza asked what his background was in budgeting. Mr. Salinas said he had some experience with budgeting at Importex where he had a certain amount of money that needed to be spent. He mentioned that he helped the budget department with what the funds were for or if something needed to be purchased he needed to see if the funds were available. Cmr. Garza mentioned that the MIS Department has not had a stabilize director in a very long time. He asked Mr. Salinas what he would do to stabilize the department. Mr. Salinas stated that he would go in and get to know every single employee. He stated that since he was coming from outside the county, he would need to know and learn how the employee system works and know the level of experience everyone has.

Cmr. Brunner asked what has been the most difficult task that Mr. Salinas has had to face during his experience. Mr. Salinas mentioned that the most difficult situation has been when there was a thunderstorm where the ceiling collapsed and fell on top of the server. He stated that all the hard drives were destroyed. He mentioned that with the help of some friends he could reestablish the memory back. He stated that he established dial up for the small business.

Judge Bruni stated that he was not going to accept the missing applicant's interview.

Cmr. Gutierrez stated that all the applicants were good applicants. She stated that it was a tough decision for the Court to decide on an MIS Director being that

all applicants were good. She mentioned that for her the best candidate was Mr. Jaime Alvarado being that he has the experience with the county, already knows the system, knows the employees in the department, and his education which entails a Master's Degree in information technology. She stated that Mr. Salinas does not have a lot of experience in the area of government. She mentioned that Mr. Flores has been with the County for many years and that was why it was a difficult decision.

Cmr. Gutierrez motioned to appoint Mr. Jaime Alvarado as MIS Director. Cmr. Garza seconded the motion. Cmr. Garza stated that he had the opportunity in meeting with all the applicants. He stated that he would have to go with the individual who had a little bit more knowledge in the area of government and education.

Motion failed 2-3 with Cmr. Sciaraffa, Judge Bruni, and Cmr. Brunner voting against.

Cmr. Sciaraffa motioned to table item till the next meeting. Cmr. Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 61. Adjournment

Judge Bruni motioned to adjourn meeting. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.